

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

UNITED STATES OF AMERICA,)
Plaintiff,)
vs.)
No. 08CR50004-1
JEFF BARTLETT,)
Defendant.)

**JEFF BARTLETT'S MOTION TO RECONSIDER THE
FEBRUARY 13, 2008 ORDER OF DETENTION.**

NOW COMES the defendant, JEFF BARTLETT, by his attorneys, Stone & Associates, L. L. C., and moves this court as follows:

1. On February 13, 2008, Magistrate Judge P. Michael Mahoney entered an order of pre-trial detention.

2. In his pronouncement of the ruling, Judge Mahoney, speaking of the various businesses owned by JEFF BARTLETT, spoke of "mystery finances". This motion is being filed electronically pursuant to local court rules. A hard copy of this motion will follow by overnight delivery with attachments. The attachments are:

- past 3 ♦ A profit-and-loss statement of Advance Real Estate Investments for the years;
 ♦ A profit-and-loss statement from Advance L.L.C. for the past 3 years;
 ♦ A profit-and-loss statement from Advance Cash Express, Inc., for the past 3 years.

3. JEFF BARTLETT's business entities are legitimate and profitable. This court recognized that Mr. BARTLETT has long family ties to the Community; that his wife and children reside locally; that he owns real estate and operates business interests locally. Mr. BARTLETT is not a flight risk. While he holds a U.S. Passport, he will willingly surrender same to the United States Probation Officer who supervises his case. While this court mentioned in its written statement for reasons for detention that JEFF BARTLETT "has an extensive criminal history", a careful review of the prior record submitted by the U.S. Probation Department Pre-Trial Services, shows that much of his prior record, and all of his felony convictions are more than fifteen years old.

4. There exist conditions or combinations of conditions that will insure the presence of JEFF BARTLETT in court. Mr. BARTLETT will subject himself to home confinement, to be released only for court, lawyers' appointments, work and church. In the event of medical or dental matters, he will provide pre-trial officers with the names of the medical or dental

providers in advance. Mr. BARTLETT is willing to wear an electronic monitor. He has a land-line phone. He will submit to any and all drug and alcohol tests. He will agree not to leave the Northern District without prior approval of the court.

5. This court should not be concerned about Mr. BARTLETT's appearance in court. He has retained private counsel and made a substantial commitment to defending the charges against him.

6. Moreover, whatever else may be said of JEFF BARTLETT, he is a devoted husband and father. His primary concern is not for his liberty, but for his ability to provide for his family, care for them, and plan for their future in the event of an unfortunate outcome in this prosecution. He can only meet his family's needs by working. This, perhaps more than any other motivator, is the court's assurance that he will be in court whenever ordered to answer these charges.

7. As one balances the factors in favor of release and those in favor of detention, it is clear that conditions, or combinations of conditions exist that will assure the presence of the defendant.

WHEREFORE, JEFF BARTLETT prays that this court vacate the order of detention and release the defendant.

Respectfully submitted,

s/ Jed Stone

One of the attorneys for JEFF BARTLETT

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